

Notice of Allowability	Application No.	Applicant(s)	
	10/761,518	HASKELL ET AL.	
	Examiner	Art Unit	
	Ali Bayat	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/17/04.
2. ☒ The allowed claim(s) is/are 27-53 (renumbered as 1-27).
3. ☒ The drawings filed on 20 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>1/20/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 27-53 are allowed.

The following is an examiner's statement of reasons for allowance: the closest prior art of Chen (U.S. 5,886,736) provides for identifying data of a coded video object based on a start code indicative thereof (col.8 line 65-col.9 line 8), identifying data of a plurality of coded video object layers (VOLs) based on respective VOL start codes (col.16 lines 45-65, also note table 11). However the prior art of Chen failed to teach or suggest either alone or in combination, **identifying data of a plurality of coded video object planes (VOPs) based on respective VOP start codes, each coded VOP being a member of at most one VOL, determining, from data of a first VOL: whether scalability had been applied to the first VOL at coding, and if scalability had been applied, identifying from the coded data of the first VOL data a second VOL that is a reference layer to the first VOL, and decoding a VOP from the first VOL with reference to a VOP of the second video object layer.**

It is for this reason and in combination with all the other limitation in the claims, that claims 27-53 are allowable over the prior art of Chen.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Closest Cited References

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2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. patent 5,886,736 to Chen is cited for synchronization of a stereoscopic video sequence.

U.S. patent 6,330,280 to Suzuki et al. is cited for method and apparatus for decoding enhancement and based layer image signals using a predicted image signal.

U.S. patent 6,731,811 to Rose is cited for scalable predictive coding method and apparatus.

U.S. patent 6,580,832 to Kim et al. is cited for apparatus and method for coding/decoding scalable shape binary image using mode of lower and current layers.

U.S. patent 6,266,817 to Chaddha is cited for decoder for a software-implemented end-to-end scalable video delivery system.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Bayat whose telephone number is 703-306-5915. The examiner can normally be reached on M-Thur 9:00-7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-3085246. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5631.

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Ali Bayat *AB*
Patent examiner
Group Art Unit 2625
3/28/05

Kanish Patel
KANISHAI PATEL
PRIMARY EXAMINER